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PATENT

Case Docket No. ELITRA.001C1

Date: August 6, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Zyskind, et al.  
Appl. No. : 10/771,241  
Filed : February 3, 2004  
For : GENES IDENTIFIED AS  
REQUIRED FOR  
PROLIFERATION IN  
ESCHERICHIA COLI  
Examiner : Unknown  
Group Art Unit : 1645

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 6, 2004

(Date)

*Daniel Hart*

Daniel Hart, Reg. No. 40,637

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with two hundred fifty-three (253) references which are not enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

*Daniel Hart*

Daniel Hart  
Registration No. 40,637  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550



## INFORMATION DISCLOSURE STATEMENT

Applicant : Zyskind, et al.  
App. No. : 10/771,241  
Filed : February 3, 2004  
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Examiner : Unknown  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing two hundred fifty-three (253) references that are of record in U.S. patent application No. 09/492,709, filed January 27, 2000, which is the parent of this continuation application, and is relied upon for an earlier filing date under 35 U.S.C. § 120. Copies of the references are not submitted pursuant to 37 C.F.R. § 1.98(d).

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Aug. 6, 2004

By: Daniel Hart  
Daniel Hart  
Registration No. 40,637  
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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
ELITRA.001C1APPLICATION NO.  
10/771,241SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT  
Zyskind, et al.FILING DATE  
February 3, 2004GROUP  
1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	4,622,297	11/11/86	Kappner, et al.			
	2	4,906,742	03/06/90	Young et al.			
	3	4,980,281	12/25/90	Housey, et al.			
	4	5,082,767	01/21/92	Hatfield, et al.			
	5	5,142,047	08/25/92	Summerton, et al.			
	6	5,190,931	03/02/93	Inouye			
	7	5,208,149	05/04/93	Inouye, et al.			
	8	5,266,464	11/30/93	Housey, et al.			
	9	5,272,065	12/21/93	Inouye, et al.			
	10	5,353,236	10/04/94	Subbiah			
	11	5,405,775	04/11/95	Inouye, et al.			
	12	5,463,564	10/31/95	Agrafiotis, et al.			
	13	5,569,588	12/09/96	Ashby, et al.			
	14	5,574,656	11/12/96	Agrafiotis, et al.			
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	19	5,684,711	11/04/97	Agrafiotis, et al.			
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	26	5,854,020	12/29/98	Hodgson et al.			
	27	5,858,709	01/12/99	Hodgson et al.			

EXAMINER

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\*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>SUPPLEMENTAL          INFORMATION DISCLOSURE STATEMENT          BY APPLICANT</b>  (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. ELITRA.001C1	APPLICATION NO. 10/771,241
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	FILING DATE February 3, 2004	GROUP 1645

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	28	5,869,290	02/09/99	Freeman et al.			
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	55	US 2002/0115217 A1	08/22/02	Fan, et al.			

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	56	EP 0 816 511 A1	01/07/98	EPO				
	57	EP 0 837 142 A1	04/22/98	EPO				
	58	EP 0 889 123 A2	01/07/99	EPO				
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	60	EP 0 891 984 A2	01/20/99	EPO				
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	68	WO 95/02823	01/26/95	PCT				
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	72	WO 96/23075	08/01/96	PCT				
	73	WO 96/40979	12/19/96	PCT				

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	75	WO 97/16177	05/09/97	PCT				
	76	WO 97/23642	07/03/97	PCT				
	77	WO 97/27212	07/31/97	PCT				
	78	WO 97/27213	07/31/97	PCT				
	79	WO 97/37026	10/09/97	PCT				
	80	WO 97/40851	11/06/97	PCT				
	81	WO 97/42210	11/13/97	PCT				
	82	WO 97/48822	12/24/97	PCT				
	83	WO 98/03533	01/29/98	PCT				
	84	WO 98/19162	05/07/98	PCT				
	85	WO 98/20161	05/14/98	PCT				
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	89	WO 99/02673	01/21/99	PCT				
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	93	WO 99/23244	05/14/99	PCT				
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	95	WO 99/27074	06/03/99	PCT				
	96	WO 99/27128	06/03/99	PCT				
	97	WO 99/28508	06/10/99	PCT				
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	99	WO 99/33871	07/08/99	PCT				
	100	WO 99/35494	07/15/99	PCT				
	101	WO 99/36554	07/22/99	PCT				

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	119	Akerley, et al. 2002. A genome-scale analysis for identification of genes required for growth or survival of <i>Haemophilus influenzae</i> . <i>PNAS</i> , 99(2):966-971.
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	128	Bagby, et al. 1994. Unusual helix-containing Greek keys in development-specific Ca <sup>2+</sup> -binding protein S. <sup>1</sup> H, <sup>15</sup> N, and <sup>13</sup> C assignments and secondary structure determined with the use of multidimensional double and triple resonance heteronuclear NMR spectroscopy. <i>Biochemistry</i> , 33:2409-2421.
	129	Bagby, et al. 1995. Solution structure of the C-terminal core domain of human TFIIB: Similarity to Cyclin A and interaction with TATA-binding protein. <i>Cell</i> , 82:857-867.
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	150	Clore, et al. 1987. Three-dimensional structure of potato carboxypeptidase inhibitor in solution: A study using nuclear magnetic resonance, distance geometry, and restrained molecular dynamics. <i>Biochemistry</i> , 26:8012-8023.
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	152	Crooke, S. T. 1998. An overview of progress in antisense therapeutics. <i>Antisense &amp; Nucleic Acid Drug Development</i> , 8:115-122.
	153	Crosa, et al. 1973. Molecular relationships among the Salmonelleae. <i>J. Bacteriol.</i> , 115(1):307-315.
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FORM PTO-1449      U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>SUPPLEMENTAL          INFORMATION DISCLOSURE STATEMENT          BY APPLICANT</b>  (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. ELITRA.001C1	APPLICATION NO. 10/771,241
	APPLICANT Zyskind, et al.	
	FILING DATE February 3, 2004	GROUP 1645

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
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